

## **RIDEM/CRMC CONSISTENCY WORKING GROUP**

A first meeting of the working group was held on February 29, 1999.

In Attendance: Dave Reis, Carol Murphy, Nick Pisani, Tom Getz, Peter Holmes, Dennis Esposito,  
John Boehnert, Dan Baudouin, Joe Frisella

The following items were discussed:

- 1.) The Providence Foundation represented by Dan Baudouin discussed concerns regarding cases where CRMC and DEM would both have jurisdiction. The Providence Foundation would prefer to go through only one permitting agency for Downtown revitalization projects. Dave Reis indicated that moving the CRMC jurisdiction line for tidal waters to the Point Street bridge consistent with the wetlands jurisdiction line would be investigated by CRMC. Dan indicated he would review the wetland jurisdiction maps at the DEM Office of Customer and Technical Assistance. It was further discussed that there are other RIDEM programs, other than wetlands, that are subject to RIDEM review regardless of CRMC jurisdiction (ISDS, RIPDES, Underground Injection, etc.).
- 2.) The establishment of Buffer and Setback requirements through RIDEM freshwater wetland application reviews was discussed. The intent would be to make such requirements consistent with CRMC practice and rules. Buffer and setback areas would be established within perimeter wetlands and riverbanks and would be measured landward from the Wetland "Edge" (ref. Rule 5.27). It was noted that it may be possible to institute this practice without statutory changes to the Freshwater Wetlands Act. Buffer zones are defined and required by the existing Rules (ref. rule 5.14 and appendix 1.C.3(c)). The potential for allowing footpaths through such established buffer zones with reduced fees was also discussed.
- 3.) RIDEM/CRMC flood plain consistency with FEMA requirements was discussed. Neither CRMC nor RIDEM conducts structural reviews of buildings since this is the local building official's responsibility under the State Building Code. However, RIDEM and CRMC are responsible for conducting flood plain alteration reviews in accordance with the Freshwater Wetland Rules (primarily associated with volumetric flood plain displacement). A concern was previously identified by Derry Riding with regard to consistency of review in Urban Areas. The committee decided to seek further clarification from Derry regarding her concerns.
- 4.) It was decided to review an existing fact sheet describing differences in RIDEM and CRMC freshwater wetland programs to see if there were areas where consistency could be improved (absent the need for statutory changes).

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- 5.) Joe Frisella requested that RIDEM and CRMC have similar procedures allowing for pre-application and post-application meetings with agency staff. The committee felt this subject was best handled by other established subcommittees.
- 6.) Joe Frisella requested that both agencies investigate certifying “professional wetland flaggers” to alleviate the need for agency verification. The committee felt this subject was best handled by other established subcommittees.
- 7.) Joe Frisella requested that both agencies utilize personal contact (i.e., phone calls) to obtain information as opposed to deficiency letters. The committee felt this subject was best handled by other established subcommittees.
- 8.) Joe Frisella requested that time limits for permit reviews be established for formal applications. The committee felt this subject was best handled by other established subcommittees.

Respectfully Submitted,

Dave Reis, Team Leader